

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

FRANKIE J. MAINES,)	
)	
Petitioner,)	
)	
vs.)	CIVIL NO. 11-684-GPM
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

MURPHY, District Judge:

Before the Court is Petitioner Frankie J. Maines's motion to dismiss her 28 U.S.C. § 2255 motion to vacate, set aside, or correct her sentence (Doc. 4). The Court has yet to issue an order pursuant to Rule 4 of the RULES GOVERNING SECTION § 2255 PROCEEDINGS, and there has consequently been no response from the United States. Petitioner's motion to dismiss without prejudice is therefore **GRANTED**, *see Garrett v. United States*, 178 F.3d 940, 942 (7th Cir. 1998), and this case shall be **DISMISSED without prejudice**. RULES GOVERNING SECTION § 2255 PROCEEDINGS R.12; FED.R.CIV.P. R.41(a). This case shall be CLOSED.

IT IS SO ORDERED.

DATED: August 24, 2012

s/ *G. Patrick Murphy*
G. PATRICK MURPHY
United States District Judge